

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NOS. 1386 & 1038**  
**91ST GENERAL ASSEMBLY**

3338L.02T

2002

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**AN ACT**

To repeal section 307.173, RSMo, and to enact in lieu thereof one new section relating to tinted windows, with a penalty provision and an emergency clause.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 307.173, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 307.173, to read as follows:

307.173. 1. [Except as provided in subsections 2 and 6 of this section, no person shall operate any motor vehicle registered in this state on any public highway or street of this state with any manufactured vision-reducing material applied to any portion of the motor vehicle's windshield, sidewings, or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle. This section shall not prohibit labels, stickers, decalcomania, or informational signs on motor vehicles or the application of tinted or solar screening material to recreational vehicles as defined in section 700.010, RSMo, provided that such material does not interfere with the driver's normal view of the road. This section shall not prohibit factory installed tinted glass, the equivalent replacement thereof or tinting material applied to the upper portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.

2.] Any person may operate a motor vehicle with [side and rear windows] **front sidewing vents or windows located immediately to the left and right of the driver** that have a sun screening device, in conjunction with safety glazing material, that has a light transmission of thirty-five percent or more plus or minus three percent and a luminous reflectance of thirty-five percent or less plus or minus three percent. **Except as provided in subsection 5 of this section, any sun screening device applied to front sidewing vents or windows located**

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 immediately to the left and right of the driver in excess of the requirements of this section  
19 shall be prohibited without a permit pursuant to a physician's prescription as described  
20 below. A permit to operate a motor vehicle with front sidewing vents or windows located  
21 immediately to the left and right of the driver that have a sun screening device, in  
22 conjunction with safety glazing material, which permits less light transmission and  
23 luminous reflectance than allowed under the requirements of this subsection, may be  
24 issued by the department of public safety to a person having a serious medical condition  
25 which requires the use of a sun screening device if the permittee's physician prescribes its  
26 use. The director of the department of public safety shall promulgate rules and regulations  
27 for the issuance of the permit. The permit shall allow operation of the vehicle by any  
28 titleholder or relative within the second degree by consanguinity or affinity, which shall  
29 mean a spouse, each grandparent, parent, brother, sister, niece, nephew, aunt, uncle, child,  
30 and grandchild of a person, who resides in the household. Except as provided in  
31 subsection 2 of this section, all sun screening devices applied to the windshield of a motor  
32 vehicle are prohibited.

33       2. This section shall not prohibit labels, stickers, decalcomania, or informational  
34 signs on motor vehicles or the application of tinted or solar screening material to  
35 recreational vehicles as defined in section 700.010, RSMo, provided that such material does  
36 not interfere with the driver's normal view of the road. This section shall not prohibit  
37 factory installed tinted glass, the equivalent replacement thereof or tinting material applied  
38 to the upper portion of the motor vehicle's windshield which is normally tinted by the  
39 manufacturer of motor vehicle safety glass.

40       3. [A motor vehicle in violation of this section shall not be approved during any motor  
41 vehicle safety inspection required pursuant to sections 307.350 to 307.390.

42       4.] Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that  
43 is created under the authority delegated in this section shall become effective only if it complies  
44 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section  
45 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers  
46 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
47 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the  
48 grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be  
49 invalid and void.

50       [5.] 4. Any person who violates the provisions of this section is guilty of a class C  
51 misdemeanor.

52       [6.] 5. Any vehicle licensed with a historical license plate shall be exempt from the  
53 requirements of this section.

Section B. Because immediate action is necessary to clarify the laws regarding tinted  
2 windows, section A of this act is deemed necessary for the immediate preservation of the public  
3 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the  
4 meaning of the constitution, and section A of this act shall be in full force and effect upon its  
5 passage and approval.